

## REMARKS

Claims 1-16 were in issue. Claims 10-16 have been amended. No new matter has been added. Reconsideration and allowance of the above-identified application are respectfully requested.

### The §101 rejection

Claims 10-16 stand rejected under 35 U.S.C. §101 as covering non-statutory subject matter. Applicant respectfully traverses this rejection with respect to the claims as amended because such claims are statutory subject matter as being directed to a computer system having a memory storing a hierarchical data file structure.

Claims 10-16 as amended are of the same basic form as the claims in issue in *In re Lowry*, 1994 U.S. App. LEXIS 23121 (Fed. Cir. 1994)<sup>1</sup>. In *Lowry*, the Federal Circuit stated that:

The printed matter cases have no factual relevance where "the invention as defined by the claims requires that the information be processed not by the mind but by a machine, the computer. ... Nor are the data structures analogous to printed matter. Lowry's ADOs do not represent merely underlying data in a database. ADOs contain both information used by application programs and information regarding their physical interrelationships within a memory. Lowry's claims dictate how application programs manage information. Thus, Lowry's claims define functional characteristics of the memory."

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<sup>1</sup> 1. A memory for storing data for access by an application program being executed on a data processing system comprising:  
a data structure stored in said memory, said data structure including information resident in a database used by said application program and including: [details of data structure omitted]

As in *Lowry*, the form of claims 10-16 is that of a physical structure ("a computer readable medium") that stores a data structure that "contain both information used by application programs and information regarding their physical interrelationships within a memory" (quoting from *Lowry*). Accordingly, Applicant submits that the grounds of rejection under §101 are improper with respect to claims 10-16 as amended.

### **The §103 rejections**

Claims 1, 4, and 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kauffman (U.S. Patent No. 5,586,235) in view of Berry et al. (U.S. Patent No. 5,692,205). This rejection is respectfully traversed.

The rejection states that Kauffman discloses a standard document structure for organizing and storing all information in documents used in a digital multimedia system. The structure is applied to the documents regardless of whether the information is text, video, audio, still pictures, graphics, or any other types of information organized in a hierarchical manner. The rejection further states that Kauffman does not disclose encapsulating multimedia document with a file support object. However, the rejection maintains that Berry discloses a method to integrate multimedia presentations into an object-oriented user interface that includes multiple polymorphic objects, each having associated encapsulated data and functionality.

The present claims are different from the combination of Kauffman and Berry because the method and structure recited by the claims allow encapsulating at least two different file support objects with at least two different file formats within a multimedia document. Neither Kauffman nor Berry teach or suggest having multiple file support objects with multiple formats within a single multimedia document. Kauffman, alone or in combination with Berry, cannot

render the above claims obvious. Therefore, claims 1, 4, and 9-14 should be in condition for allowance.

Claims 2-3 and 7-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kauffman (U.S. Patent No. 5,586,235) and Berry et al. (U.S. Patent No. 5,692,205) as applied to claim 1 above, and further in view of Ando (U.S. Patent No. 5,600,826). This rejection is respectfully traversed.

The rejection indicates that Ando provides a structure data processor for processing structured data of a tree structure in which data elements are arranged in the order of depth in a structure document typically represented by ODA.

However, in light of the above remarks regarding the previous rejection, the addition of Ando to the combination of Kauffman and Berry cannot render claims 2-3 and 7-8 obvious. Ando fails to teach or suggest encapsulating at least two different file support objects with at least two different file formats within a single multimedia document. Therefore, claims 2-3 and 7-8 should be in condition for allowance.

Claims 5-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kauffman (U.S. Patent No. 5,586,235) and Berry et al. (U.S. Patent No. 5,692,205) as applied to claim 1 above, and further in view of Brown (U.S. Patent No. 5,892,847). This rejection is respectfully traversed.

The rejection indicates that Johnson discloses a feature that the encoder creates a file format that segments or "layers" the compressed image. The layering of the compressed image allows the decoder to display image file segments, beginning with the data at the front of the file, in a coherent sequence which begins with the decoding and display of the information that constitutes the core of the image as defined by human perception. The core information can appear as a good quality miniature of the image and a full sized "splash" or coarse quality

version of the image. The image is then displayed quickly to see details being added to the image as subsequent layers are received, decoded and added to the core image. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have applied Johnson and combined to Kauffman and Berry.

However, in light of the above remarks, the addition of Johnson to the combination of Kauffman and Berry cannot render claims 5-6 obvious. Johnson fails to teach or suggest encapsulating at least two different file support objects with at least two different file formats within a single multimedia document. Therefore, claims 5-6 should be in condition for allowance.

Claims 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kauffman (U.S. Patent No. 5,586,235) and Berry et al. (U.S. Patent No. 5,692,205) as applied to claim 1 above, and further in view of Brown (Using Netscape 2). This rejection is respectfully traversed.

The rejection indicates that Brown discloses a code segment to construct the image frame that is part of a multimedia document. Brown fails to disclose the decoder that determines the image data and encapsulates the framed image with the image frame. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have applied Brown because provides the code for constructing a frame in a HTML document and also provides how the frame looks like according to the data format of the code.

However, in light of the above remarks, the addition of Brown to the combination of Kauffman and Berry cannot render claims 15-16 obvious. Brown fails to teach or suggest encapsulating at least two different file support objects with at least two different file formats within a single multimedia document. Therefore, claims 15-16 should be in condition for allowance.




Attorney's Docket No.: 06651-008001

Applicant submits that all of the claims are now in condition for allowance. Therefore, Applicant respectfully requests reconsideration and reexamination of the present application and allowance of the case at an early date.

Please apply any credits or charge any deficiencies to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: 1 - 26 - 00

  
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